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Chairperson: Ms. GITTENS-JOSEPH (Trinidad and Tobago)

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The meeting was called to order at 10.15 a.m.

AGENDA ITEM 111: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE (continued) (A/55/202, A/55/268)

1. Mr. CONG JUN (China) said that prior to the arrival of colonialists or foreign rulers, indigenous people had lived on their own land generation after generation, and consequently had kept, in whole or in part, their own social, economic and political characteristics. The appropriation of their land through conquest, occupation, colonization or other means had subjected indigenous people to discrimination and oppression. The Chinese people and the Government of China were keenly aware of the plight of indigenous people. It was gratifying that the United Nations, true to its principles, had launched the initiative of the International Decade of the World's Indigenous People. His delegation appreciated the Secretary-General's report on the status of the implementation of the programme of activities of the Decade (A/55/268). The current session of the General Assembly should result in the establishment of a Permanent Forum on Indigenous Issues, which would be a significant move for the promotion and protection of indigenous people's rights on the part of the international community. The proposed Forum, an advisory body that would report to the Economic and Social Council, should pay attention to the special features of the issue of indigenous people, as it would be improper to obscure the distinctions between indigenous people and other minority peoples in terms of race, ethnicity, language and religion. It was to be hoped that the Forum would produce a relatively precise definition of the concept of "indigenous people" before it started its work.

2. The composition of the Forum should be determined on the basis of consultations. His delegation hoped that the President of the Economic and Social Council, when appointing the eight representatives of indigenous people, would heed the views of Member States and indigenous organizations.

3. The Forum was the result of a prolonged struggle by various indigenous peoples. It was to be hoped that it would do solid practical work for them by improving their political, economic and social positions and promoting the realization of their rights. To perform those functions with maximal effectiveness, it should cooperate with other relevant United Nations agencies. His delegation hoped that the Working Group of the Commission on Human Rights on a draft declaration on the rights of indigenous people, the Permanent Forum and the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights would join hands to contribute to the attainment of those several goals.

4. Mr. AGUZZI-DURÁN (Venezuela) said that Venezuela recognized the rights of indigenous people and guaranteed their participation in political life. Indeed, three representatives of indigenous people, elected by their own communities, had sat as members of the Constituent Assembly which had adopted the Constitution of December 1999. That Constitution defined the Venezuelan people as multiethnic and multicultural, and stated expressly that indigenous people were part of the Venezuelan nation, which was one, sovereign and indivisible. An entire section of the Constitution, based on various existing international

instruments, was devoted to the rights of indigenous people, whose traditional social and political institutions and distinctive sociocultural attributes, such as language and religion, were recognized. The Constitution also stated that it was the duty of the Venezuelan State to promote indigenous people's access to individual or collective property, education and health services, and all other sectors that would help them improve their economic situation and enhance their quality of life.

5. Those Constitutional principles, which were the outcome of a larger human rights promotion process in Venezuela, were to be given substantive expression in the form of an organic law on indigenous people. Under the transitional provisions of the Constitution, the National Assembly was to enact such a law by 2001.

6. Venezuela had become a sponsor of the draft resolution on the establishment of a Permanent Forum on Indigenous Issues, although it would have preferred to see the term "indigenous issues" replaced by "indigenous people" or "indigenous peoples", on the understanding that those terms were used in a sense that was not identical with the sense in which they were used in international law; however, a majority of the Commission on Human Rights had disagreed. His delegation also considered that the eight indigenous representatives who would be members of the Forum should be appointed by indigenous people themselves, rather than by the President of the Economic and Social Council. It was thus to be hoped that the election process would be revised in accordance with paragraph 7 of resolution 2000/87 of the Commission on Human Rights.

7. His delegation was also participating in the preparation of a United Nations draft declaration on the rights of indigenous people, and a draft declaration on the same subject for the Americas. Lastly, International Labour Organization Convention No. 169, concerning Indigenous and Tribal Peoples in Independent Countries, had been submitted to the Venezuelan legislature for approval.

8. Mr. MELENEVSKY (Ukraine) said that the objectives of the programme of activities for the International Decade of the World's Indigenous People were ambitious but realistic. They should be viewed, not only as a present-day solution to some specific problems, but also as an in-depth contribution to the peaceful and harmonious coexistence of nations and the reconciliation of national minorities and ethnic groups. The report of the Secretary-General on the implementation of that programme of activities (A/55/268), providing as it did comprehensive information on the activities of the principal United Nations organizations and specialized bodies, showed that the success of the Decade would depend on cooperation among all the partners concerned. In that connection, the United Nations High Commissioner for Human Rights had played a commendable role in coordinating the activities undertaken in the context of the Decade. The seminar on the draft principles and guidelines for the protection of the heritage of indigenous people, held in Geneva, had been a timely step, and his delegation also welcomed the activity of the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights in seeking peaceful and constructive solutions to the problems of indigenous people. The development of dialogue between indigenous people and Governments

and between different indigenous peoples was of the utmost importance as a means of preventing confrontation.

9. His delegation welcomed the Economic and Social Council's decision to establish a Permanent Forum on Indigenous Issues, to be composed of representatives of both Governments and indigenous people. Concerning the draft declaration on the rights of indigenous people that was being prepared by a Working Group of the Commission on Human Rights, the most recent report (E/CN.4/2000/84) showed that consensus had not yet been reached on a number of principles. It was worth reiterating that the classification of ethnic groups was necessary in order to facilitate the implementation of national policies in the field of the protection of the rights of persons belonging to national minorities and indigenous people. In that connection, his delegation supported the proposal of the Working Group to the effect that the use of the expression "indigenous people" or "indigenous peoples" in the draft declaration should have no implications regarding the right of self-determination or any other rights. In view of the sensitivity of the issue, however, his delegation strongly believed that the declaration should include provisions strictly prohibiting any actions designed to impair the territorial integrity or political unity and stability of sovereign States. The Working Group would undoubtedly benefit by avoiding the excessive politicization of its work; the goal, after all, was the elaboration of a universal, viable and effective international instrument.

10. The reason why Ukraine attached such importance to the issue was that it was directly concerned: the Government was facing the task of ensuring that the indigenous people who had been forcibly deported 50 years earlier, together with their descendants, could return to the country without infringing the rights of other residents. Since its independence, Ukraine had consistently safeguarded the rights of its indigenous peoples, national groups and citizens which had been disrupted by the former regime's policy of colonialism, ethnic-based suppression and repression. Contemporary legislation, in contrast, was designed to foster the free development of all citizens without discrimination on the basis of ethnic origin, religion, language or culture. Some difficulties remained, to be sure, notably in the matter of the resettlement of repatriated persons in the Crimea. However, it was to be hoped that the Consultative Council of Crimean Tatars, a recently created body under the authority of the President of Ukraine, would contribute to the elimination of obstacles and the search for solutions. Invaluable assistance in that connection had been rendered by international organizations and individuals, including, in particular, the United Nations High Commissioner for Refugees, the International Organization for Migration, and the Organization for Security and Cooperation in Europe.

11. Mr. MAQUIEIRA (Chile) said that his delegation supported the draft resolution of the Economic and Social Council on the establishment of a Permanent Forum on Indigenous Issues. Chile was committed to bringing its domestic legislation into line with international standards, and to that end Convention No. 169 of the International Labour Organization, concerning Indigenous and Tribal Peoples in Independent Countries, had been submitted to Parliament for ratification, and Constitutional recognition had been granted to the country's indigenous people. Moreover, the Government was engaged in dialogue with representatives of those people with a view to putting an end to

discrimination and promoting genuine equality of opportunity and respect for cultural diversity. Substantial progress had been made, notably as a result of a Law on Indigenous People which had been enacted in 1993. The main objective of the law in question was to strengthen the identity of indigenous people and promote the coexistence of various social groups and respect for their differences through the establishment of a National Assembly for the Development of Indigenous People with eight indigenous advisors among its members. Those same indigenous advisors, moreover, would be part of the Chilean delegation at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the preliminary Regional Preparatory Meeting for the Americas. In addition, a special plan for the development of indigenous people had been prepared. The plan was expected to generate an array of measures aimed at settling the dispute over land ownership.

12. The Government of the new President of Chile, building on progress previously made in advancing the cause of indigenous people, had invited indigenous organizations, business firms, churches and public agencies to sit down together and work out without delay an action plan that would serve to enhance public efforts to that end and lay the groundwork for a new social covenant. Five committees had been established to tackle different aspects of the task; after evaluating the situation and preparing a summary of achievements to date, they had issued a number of short-term recommendations and had considered the terms and conditions that should govern the longer-term objectives of establishing a Historical Truth Commission or concluding a new covenant. The Government also intended to prepare sector-by-sector agendas on indigenous issues and convene a new Commission that would be responsible for determining the causes of social and cultural discrimination and proposing measures designed to acknowledge and make amends for past injustices suffered by indigenous people.

13. Mr. SIMÓN-PADROS (Argentina) said that his delegation welcomed the establishment of a Permanent Forum on Indigenous Issues, and that it would continue to follow closely the work of the Working Group of the Commission on Human Rights on a draft declaration on the rights of indigenous people. The indigenous fellowship programme established by the Office of the High Commissioner for Human Rights was admirable, as was the collaboration between it and the Institute of Human Rights of the University of Deusto at Bilbao, Spain. Several persons from Latin America, including some from Argentina, had been awarded fellowships under the programme.

14. The 16 ethnic groups comprising the indigenous community in Argentina accounted for 1.5 per cent of the country's population. The Government considered that their contribution to Argentina's cultural heritage amounted to nothing less than a national treasure. The constitutional reform of 1994 had clearly recognized the diversity and the ethnic and cultural pre-existence of the indigenous people, and had enshrined their legal personality, the collective ownership of their land, the transmission of their knowledge in the framework of a bilingual and intercultural education, the preservation of their heritage, and their participation in the management of the natural resources of the areas where they lived. The Government of Argentina fully accepted the obligation incumbent upon it to guarantee the unrestricted enjoyment of those rights. The National Institute for Indigenous Affairs, in particular, was entrusted with the

responsibility of regularizing property titles with a view to the distribution of land and the implementation of plans relating to housing and the environment.

15. In the area of education, the Government was promoting intercultural bilingualism, and since 1993 it had been implementing special programmes aimed at enhancing the dissemination of education consistent with the cultural principles characteristic of the various communities. The National Institute for Indigenous Affairs, for example, provided scholarships to enable indigenous people to attend secondary schools and universities. In addition, all scholarship students enrolled at a secondary school were assigned a tutor who accompanied them in their studies, developed strategies to combat discrimination, and implemented intercultural activities and programmes in the school setting. In a framework of more general strategies aimed at supporting young indigenous leaders, the tutors participated in a training programme that the Institute had developed for scholarship students attending universities and community leaders. Furthermore, the Institute was currently organizing skills development workshops in the field of indigenous people's rights; the workshops would be held in three towns in the provinces of La Pampa, Santa Fe and Chubut.

16. The Government was particularly concerned to associate indigenous people with the management of their interests. For example, indigenous people designated their own international representatives, who were elected by the Council of Indigenous People of Argentina.

17. On 3 July 2000, the Government of Argentina had deposited with the International Labour Organization (ILO) its instrument of ratification of ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. The Convention would enter into force in Argentina on 3 July 2001.

18. It was to be hoped that the Working Group of the Commission on Human Rights on a draft declaration on the rights of indigenous people would make substantial progress at its meeting in November 2000.

19. Mr. COIMBRA (Brazil) said that one of the defining characteristics of the Brazilian population was a profound ethnic, racial and cultural fusion. The country's Constitution guaranteed the rights of indigenous people, including their right to the land they traditionally occupied. There were currently 561 indigenous areas, comprising over 900,000 square kilometres, and the Government was striving to prevent invasions of those lands and to provide indigenous communities with adequate access to education and health. Those efforts, in conjunction with those of various national authorities, non-governmental organizations and other associations, were serving to promote cultural interaction. While there were still some indigenous groups that were largely isolated from the outside world, it was significant that the birth rate of the Brazilian indigenous population was higher than the national average.

20. Brazil attached great importance to education, which was one of the priorities of the International Decade of the World's Indigenous People, and also to respect for its indigenous people's socio-cultural identity. Both concerns were addressed by indigenous schools, of which there were currently 1,440. Efforts to empower the indigenous population, another major objective of the Decade, had been pursued to good effect: the number of organizations

legally constituted by Brazilian Indians had increased from nine in 1987 to 290 in 1999. Moreover, indigenous people were increasingly participating in political activities, as had been apparent at the recent municipal elections. The relevant activities and programmes being developed within the framework of the Decade had been outlined in the Secretary-General's reports on the status of the United Nations Voluntary Fund for Indigenous Populations (A/55/202) and on the implementation of the programme of activities for the Decade (A/55/268), as well as in the introductory statement by the representative of the Office of the United Nations High Commissioner for Human Rights. His delegation appealed to international organizations, Governments and private donors to take appropriate action to contribute to those activities and programmes and thereby help to meet the objectives of the Decade.

21. His delegation welcomed the prospect of a declaration on the rights of indigenous people, but remained convinced that such an instrument must be universal in scope and should not fail to cover the rights of indigenous people living in all parts of the world. His delegation supported the various international efforts that had been undertaken on behalf of indigenous people, notably the decision by the Economic and Social Council in July 2000 to establish a Permanent Forum on Indigenous Issues. Brazil itself was actively engaged in the drafting of an Inter-American declaration on the rights of indigenous people.

22. Mr. LESLIE (Belize), speaking on behalf of the 14 States Members of the Caribbean Community (CARICOM), thanked those who had supported the United Nations Voluntary Fund for Indigenous Populations, and encouraged donors to respond to the calls for support issued by the General Assembly, in its resolution 54/150, and by the Commission on Human Rights, in its resolution 2000/56.

23. The States Members of CARICOM had also noted the action taken by the High Commissioner for Human Rights, as coordinator of the International Decade of the World's Indigenous People, to follow up on a recommendation of the Subcommission on the Promotion and Protection of Human Rights asking him to muster financial contributions to the United Nations Trust Fund for the Decade.

24. The States Members of CARICOM continued to pay keen attention to the work being undertaken by the Working Group of the Commission on Human Rights on a draft declaration on the rights of indigenous people. A seminar held earlier in the year had been valuable in that connection, as it had brought together experts from indigenous peoples, United Nations agencies, Governments and academic institutions for the purpose of reviewing the draft principles and guidelines for the protection of the heritage of indigenous people, prepared by the Special Rapporteur.

25. Education was of critical importance for the future of indigenous people, and accordingly CARICOM commended the Office of the High Commissioner for Human Rights, as well as other United Nations agencies and non-governmental organizations, for their efforts on behalf of the indigenous fellowship programme.

26. The Government of Belize, for its part, had recently signed an historic agreement with representatives of the Maya peoples of southern Belize, recognizing their rights to lands and resources based on long-standing use and occupancy. Working in close consultation with the Maya and other communities in southern Belize, the Government had developed a draft regional development plan for that area, and the Inter-American Development Bank stood ready to provide funding. Offers of assistance from other institutions and Governments would be welcome.

27. Another positive measure had been the decision of the Economic and Social Council to establish a Permanent Forum on Indigenous Issues.

28. The States Members of CARICOM were prepared to contribute to the special session of the General Assembly that would be convened in 2001 for follow-up to the World Summit for Children, and to the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

29. Mr. CARRANZA (Guatemala) said that the Economic and Social Council's decision, by resolution 2000/22, to establish a Permanent Forum on Indigenous Issues might be regarded as one of the most significant achievements of the International Decade of Indigenous People. Certainly it had particular resonance for Guatemala, in view of the prominent position of the agreement on recognition of the identity and rights of indigenous peoples in the comprehensive settlement that had restored peace to the country. His delegation had participated actively in all consultations relating to the draft declaration on the rights of indigenous people, and considered that the new Forum might make a useful contribution to the preparation of the declaration.

30. Some delegations had expressed the view that in view of the establishment of the Permanent Forum, there was no further need for the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights. His own delegation was inclined to agree, on the condition that provision was made for a transition period during which the effectiveness of the Forum could be assessed before the Working Group was dissolved.

31. The question of the Permanent Forum's position within the Economic and Social Council also remained to be settled. According to the resolution of the Commission on Human Rights (2000/87), the Forum was to be "an advisory body with a mandate to discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights." His delegation inferred that the Forum's mandate would not be limited to human rights exclusively.

32. In Guatemala, the agreement on recognition of the identity and rights of indigenous peoples continued to guide the Government's action in that area. Unfortunately, the resources at the Government's disposal were not commensurate with its political will. The Ministry of Education, for example, had initiated consultations with 331 municipalities on an educational reform plan emphasizing cultural interaction and bilingualism, but was finding it difficult to complete the consultation process for want of the necessary funds.

33. Moreover, a number of ministries were currently developing pilot projects for decentralization based on new paradigms of social participation, notably in the fields of health and education.

34. The Government's efforts to open the upper ranks of the civil service to indigenous persons had been illustrated by the appointment of a prominent Maya to the post of Minister of Culture and Sport. Similarly, a section on candidates' knowledge of indigenous languages, in addition to Spanish, had been added to the recruiting forms used in the judicial branch.

35. The institution of an agency for the advancement of the rights of indigenous women had been a major stride forward in the implementation of the peace settlement. In its first five months, the agency had held meetings with the country's 24 language communities with a view to the formation of an advisory council, which had subsequently been established. The agency's mandate included, in particular, the provision of legal and social assistance for indigenous women who had been subjected to violence, discrimination, or other violations of their rights.

36. The terms of the peace settlement would continue to serve as the Government's indispensable frame of reference in its efforts to combat social exclusion, which for too long had been one of the main causes of the underdevelopment of Guatemala's indigenous communities.

37. Ms. SIDDHART (International Labour Organization (ILO)) said that for over 70 years ILO had worked to protect and promote the rights of indigenous and tribal people. To that end, it had participated in various activities, most recently the Preparatory Indigenous Consultation for the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The Organization also supported resolution 2000/22 of the Economic and Social Council on the establishment of a permanent forum on indigenous issues.

38. Moreover, ILO had adopted Convention No. 107 of 1957, concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries, and Convention No. 169 of 1989, concerning Indigenous and Tribal Peoples in Independent Countries, which revised Convention No. 107. Convention No. 107 was closed for ratification, but the Organization urged the widespread ratification of Convention No. 169, which had already been ratified by 14 countries. The Convention strongly influenced policy development, as, for example, in relation to the draft Inter-American Instrument on Indigenous Peoples. The ILO committee of 20 independent high-level experts on the application of conventions and recommendations had described Convention No. 169 as "the most comprehensive instrument of international law for the protection ... of the right of indigenous and tribal peoples to preserve their own laws and customs." As the committee had observed, one of the Convention's fundamental precepts was that "a relationship of respect should be established between indigenous and tribal peoples in the States in which they live, a notion which should not be confused with autonomy, or political and territorial independence."

39. ILO had initiated a number of technical cooperation activities within the framework of the International Decade of the World's Indigenous People with a

view to increasing awareness of their situation and promoting improvement in their living and working conditions. An example was a project on the promotion of ILO policy on indigenous and tribal peoples which had been established in 1996. Its main emphasis was on Africa, South Asia and South-East Asia, but some complementary work was being done in South and Central America as well. Another example was an indigenous-to-indigenous exchange programme, launched in August 1999 in response to the request of many indigenous groups. The aim of the programme was to examine and learn from different ways of life, traditions, customs and cultures, and to facilitate coordination and information exchange between indigenous people. The training schedule extended to such diverse fields as education and primary health care, culture, food security and sustainable agricultural practices, the environment, land rights, human rights and the role of women in development. National policy workshops were held to address the issues of the legal and practical implications of Constitutional provisions related to indigenous and tribal people, and to increase cooperation between Government officials, national and international organizations, and indigenous peoples themselves, within the framework of Convention No. 169.

40. The concept of "decent work" was one that rested on the four pillars of creating jobs, securing fundamental rights at work, enhancing social protection and promoting social dialogue. It drew on the diversity of societies, and it involved values that did not have a market price, such as environmental, cultural and security concerns, and such fundamental principles as freedom, knowledge and identity, while goals were set within a shared understanding of development.

41. Ms. FLEMING (World Bank) said that indigenous peoples had historically been the poorest and most excluded population groups in many parts of the world; they had faced discrimination of all kinds, and had not had the same access to basic social services as the non-indigenous population. Yet change had been taking place for some time: indigenous people currently had greater access to education, national and international legislation had been changed to accommodate their rights, numerous indigenous organizations had emerged, and growing support from national Governments and the international donor community had been forthcoming. In that context, the decision by the Economic and Social Council to establish a permanent forum on indigenous issues was altogether praiseworthy.

42. In recent years, the Bank had arrived at a better understanding of development, particularly with regard to the need to focus on poverty eradication, the central role of participation at all levels in creating sustainable societies, and the role of culture in development. In the process, its perception of the role of indigenous people in society had undergone a change: it had come to realize that to address only their needs as marginalized members of society was no longer enough; their wisdom, culture and world vision must also be taken into account. Consequently, indigenous people must be included as culturally distinct actors in national and global development processes.

43. The Bank had been the first multilateral financial institution to introduce a special policy for the treatment of indigenous or tribal peoples in development projects, with the object of ensuring that Bank-financed projects

did not adversely impact them, but, rather, provided them with culturally compatible social and economic benefits. In that connection, the Bank's revised policy on indigenous peoples was approaching completion, and world-wide consultations on it would shortly be undertaken.

44. The Bank's Indigenous Peoples Programme was designed to be based on a long-term perspective. The programme's aims were to strengthen the technical capacity for self-managed sustainable development of indigenous leaders and their organizations, to create a learning partnership among indigenous organizations, national Governments and international donor agencies, and to finance operations in education, health, rural development, natural resource management, biodiversity conservation and cultural heritage. The Bank had played an important role in supporting a capacity-building process among indigenous organizations, creating dialogue with Governments about their indigenous policies and programmes, and cooperating with other agencies such as the International Labour Organization, the International Fund for Agricultural Development, the Inter-American Development Bank and the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean. The Bank's Indigenous Knowledge for Development Initiative, which had been launched in partnership with the International Telecommunication Union, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Intellectual Property Organization and other organizations, was working to disseminate information through a database of indigenous knowledge practices and lessons learned. The Initiative had had a useful impact in, for example, approaching the issue of HIV/AIDS in Africa by using the knowledge of traditional medical experts and village elders.

The meeting rose at 11.30 a.m.